




DOCKET NO.: B0801.70255US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Pier et al.
Serial No.: 10/713,790
Confirmation No.: 5867
Filed: November 12, 2003
For: POLYSACCHARIDE VACCINE FOR STAPHYLOCOCCAL INFECTIONS
Examiner: Not Yet Assigned
Art Unit: 1645

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 23rd day of May, 2005.


Kristin J. Ketelhut

MAIL STOP AMENDMENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Information Disclosure Statement
- PTO Form 1449 with cited references
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Pier et al., Applicant

By:



Maria A. Trevisan, Reg. No.: 48,207
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: B0801.70255US01
Date: May 23, 2005
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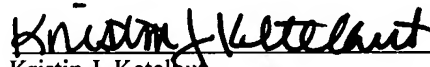
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Kristin J. Ketelhut

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

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The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Docket No.</u>	<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
B0801.70300US01	11/111,688	April 21, 2005	Pier et al.

*a copy of this reference is not provided as the Office hereby waives the requirement under 37 CFR 1.98(a)(2)(iii) for submitting a copy of each cited U.S. patent application filed after June 30, 2003 and for applications filed before June 30, 2003, or that entered the national stage before June 30, 2003, if they are scanned to Image File Wrapper system and are available on Private PAIR.

The Applicant would like to bring to the Examiner's attention the enclosed search report from a corresponding International or Foreign National Application.

<u>Docket No.</u>	<u>Serial No.</u>	<u>Mailing Date</u>	<u>Type of Communication(s)</u>
B0801.70256WO00	PCT/US03/36371	April 13, 2005	Invitation to Pay Additional Fees

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

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By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

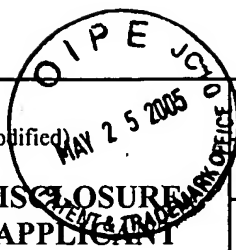
An early and favorable action is hereby requested.

Respectfully submitted,
Pier et al., Applicant

By: 

Maria A. Trevisan, Reg. No. 48,207
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

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FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICATION NO.: 10/713,790		ATTY. DOCKET NO.: B0801.70255US01	
		FILING DATE: November 12, 2003		CONFIRMATION NO.: 5867	
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		GROUP ART UNIT: 1645		EXAMINER: Not Yet Assigned	
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U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
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Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	B1	EP	0 302 781	A1	Institut Pasteur	02-08-1989	Y- Abstr.

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Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
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	B3	FR	2 410 043	A1	Yoshida	06-22-1979	Y – Abstr.
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	B21	WO	2004/043407	A2	The Brigham and Women's Hospital, Inc.	05-27-2004	

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
	C5	GENBANK Submission; NIH/NCBI, Accession No. BA000018; Kuroda et al.; October 22, 2004 (last submission).		
	C6	[No Author Listed] ATCC Catalogue website 2001; ATCC Number 35984.		
	C7	[No Author Listed] ATCC Catalogue: Bacteria and Bacteriophages; 1992; 18th Edition; p301.		
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	C13	CHEN et al., Characterization and biological properties of chemically deglycosylated human chorionic gonadotropin. Role of carbohydrate moieties in adenylate cyclase activation. J Biol Chem. 1982 Dec 10;257(23):14446-52.		
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	C42	KOJIMA et al., Antibody to the capsular polysaccharide/adhesin protects rabbits against catheter-related bacteremia due to coagulase-negative staphylococci. J Infect Dis. 1990 Aug;162(2):435-41.	
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Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C71	RUPP et al., Characterization of the importance of polysaccharide intercellular adhesin/hemagglutinin of Staphylococcus epidermidis in the pathogenesis of biomaterial-based infection in a mouse foreign body infection model. Infect Immun. 1999 May;67(5):2627-32.	
	C72	RUPP et al., Characterization of Staphylococcus epidermidis polysaccharide intercellular adhesin/hemagglutinin in the pathogenesis of intravascular catheter-associated infection in a rat model. Infect Immun. 1999 May;67(5):2656-9.	
	C73	SANFORD et al., Detection of staphylococcal membrane receptors on virus-infected cells by direct adhesin overlay. Infect Immun. 1986 Jun;52(3):671-5.	
	C74	SCHUMACHER-PERDREAU et al., Comparative analysis of a biofilm-forming Staphylococcus epidermidis strain and its adhesion-positive, accumulation-negative mutant M7. FEMS Microbiol Lett. 1994 Mar 15;117(1):71-8.	
	C75	SOMPOLINSKY et al., Encapsulation and capsular types in isolates of Staphylococcus aureus from different sources and relationship to phage types. J Clin Microbiol. 1985 Nov;22(5):828-34.	
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	C79	TOLLERSRUD et al., Genetic and serologic evaluation of capsule production by bovine mammary isolates of Staphylococcus aureus and other Staphylococcus spp. from Europe and the United States. J Clin Microbiol. 2000 Aug;38(8):2998-3003.	
	C80	VERSHIGORA et al., Secretory antibodies to homologous and heterologous staphylococcal strains in the colostrum of rabbits. Zh Mikrobiol Epidemiol Immunobiol. 1980;88-90. Russian.	Y – Abstr.
	C81	VUONG et al., A crucial role for exopolysaccharide modification in bacterial biofilm formation, immune evasion, and virulence. J Biol Chem. 2004 Dec 24;279(52):54881-6. Epub 2004 Oct 22.	
	C82	WANG et al., The pgaABCD locus of Escherichia coli promotes the synthesis of a polysaccharide adhesin required for biofilm formation. J Bacteriol. 2004 May;186(9):2724-34.	
	C83	WESSELS et al., Isolation and characterization of type IV group B Streptococcus capsular polysaccharide. Infect Immun. 1989 Apr;57(4):1089-94.	
	C84	WRAY et al., Identification and characterization of a uroepithelial cell adhesin from a uropathogenic isolate of Proteus mirabilis. Infect Immun. 1986 Oct;54(1):43-9.	
	C85	YAMADA, et al., Possible common biological and immunological properties for detecting encapsulated strains of Staphylococcus epidermidis. J Clin Microbiol. 1988 Oct;26(10):2167-72.	
	C86	YOSHIDA et al., Mouse virulent strain of Staphylococcus epidermidis. Relation of antiphagocytic activity to the protection-inducing antigen. Jpn J Microbiol. 1976 Jun;20(3):209-17.	
	C87	YOSHIDA, et al., Immunological response to a strain of Staphylococcus epidermidis in the rabbit: production of protective antibody. J Med Microbiol. 1978 Nov;11(4):371-7. Abstract only.	
	C88	YOSHIDA et al., Cross protection between a strain of Staphylococcus epidermidis and eight other species of coagulase-negative staphylococci. Can J Microbiol. 1988 Jul;34(7):913-5.	
	C89	YOUNG, Staphylococci, Staphylococcal Disease, and Toxic Shock Syndrome. in The Biologic and Clinical Basis of Infectious Diseases, Third Edition.. Youmans et al., eds. W.B. Saunders Company: Philadelphia, 1985. p 618-29 and 738-9.	
	C90	ZIEBUHR et al., Detection of the intercellular adhesion gene cluster (ica) and phase variation in Staphylococcus epidermidis blood culture strains and mucosal isolates. Infect Immun. 1997 Mar;65(3):890-6.	

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	C91	ZIEBUHR et al., A novel mechanism of phase variation of virulence in Staphylococcus epidermidis: evidence for control of the polysaccharide intercellular adhesin synthesis by alternating insertion and excision of the insertion sequence element IS256. Mol Microbiol. 1999 Apr;32(2):345-56.		

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